

UNITED STATES DEPARTMENT OF THE INTERIOR  
Bureau of Land Management  
P. O. Box 36800  
Billings, Montana 59107

**OIL AND GAS LEASE STIPULATIONS**

**ESTHETICS**--To maintain esthetic values, all surface-disturbing activities, semipermanent and permanent facilities may require special design including location, painting and camouflage to blend with the natural surroundings and meet the intent of the visual quality objectives of the Federal Surface Managing Agency (SMA).

**EROSION CONTROL**--Surface-disturbing activities may be prohibited during muddy and/or wet soil periods.

**CONTROLLED OR LIMITED SURFACE USE STIPULATION** --This stipulation may be modified, consistent with land use documents, when specifically approved in writing by the Bureau of Land Management (BLM) with concurrence of the SMA. Distances and/or time periods may be made less restrictive depending on the actual onground conditions. The prospective lessee should contact the SMA for more specific locations and information regarding the restrictive nature of this stipulation.

The lessee/operator is given notice that the lands within this lease may include special areas and that such areas may contain special values, may be needed for special purposes, or may require special attention to prevent damage to surface and/or other resources. Possible special areas are identified below. Any surface use or occupancy within such special areas will be strictly controlled, or **if absolutely necessary**, excluded. Use or occupancy will be restricted only when the BLM and/or the SMA demonstrates the restriction necessary for the protection of such special areas and existing or planned uses. Appropriate modifications to imposed restrictions will be made for the maintenance and operations of producing oil and gas wells.

After the SMA has been advised of specific proposed surface use or occupancy on the leased lands, and on request of the lessee/operator, the Agency will furnish further data on any special areas which may include:

100 feet from the edge of the rights-of-way from highways, designated county roads and appropriate federally-owned or controlled roads and recreation trails.

500 feet, or when necessary, within the 25-year flood plain from reservoirs, lakes, and ponds and intermittent, ephemeral or small perennial streams: 1,000 feet, or when necessary, within the 100-year flood plain from larger perennial streams, rivers, and domestic water supplies.

500 feet from grouse strutting grounds. Special care to avoid nesting areas associated with strutting grounds will be necessary during the period from March 1, to June 30. One-fourth mile from identified essential habitat of state and federal sensitive species. Crucial wildlife winter ranges during the period from December 1 to May 15, and in elk calving areas during the period from May 1 to June 30.

300 feet from occupied buildings, developed recreational areas, undeveloped recreational areas receiving concentrated public use and sites eligible for or designated as National Register sites.

Seasonal road closures, roads for special uses, specified roads during heavy traffic periods and on areas having restrictive off-road vehicle designations.

On slopes over 30 percent or 20 percent on extremely erodable or slumping soils.

Standard(September 1998)

**See Notice on Back**

## NOTICE

**APPLICATIONS FOR PERMIT TO DRILL (APDs)**--The BLM district or resource area offices are responsible for the receipt, processing, and approval of APDs. The APDs are to be submitted by oil and gas operators pursuant to the requirements found in Onshore Oil and Gas Order No. 1 -- Approval of Operations on Onshore Federal and Indian Oil and Gas Leases (Circular No. 2538). Additional requirements for the conduct of oil and gas operations on federal oil and gas leases can be found in Code of Federal Regulations Title 43, Part 3160. Copies of Onshore Oil and Gas Order No. 1, and pertinent regulations, can be obtained from the BLM district offices in which the operations are proposed. Early coordination with these offices on proposals is encouraged.

**CULTURAL AND PALEONTOLOGICAL RESOURCES**--The SMA is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the SMA, shall:

1. Contact the appropriate SMA to determine if a site-specific cultural resource inventory is required. If an inventory is required, then:
2. Engage the services of a cultural resource specialist acceptable to the SMA to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the SMA for review and approval no later than that time when an otherwise complete application for approval of drilling or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the SMA. Mitigation may include the relocation of proposed lease-related activities or other protective measures such as testing salvage and recordation. Where impacts to cultural resources cannot be mitigated to the satisfaction of the SMA, surface occupancy on that area must be prohibited.

The lessee or operator shall immediately bring to the attention of the SMA any cultural or paleontological resources discovered as a result of approved operations under this lease, and not disturb such discoveries until directed to proceed by the SMA.

**ENDANGERED OR THREATENED SPECIES**--The SMA is responsible for assuring that the leased land is examined prior to undertaking any surface-disturbing activities to determine effects upon any plant or animal species, listed or proposed for listing as endangered or threatened, or their habitats. The findings of this examination may result in some restrictions to the operator's plans or even disallow use and occupancy that would be in violation of the Endangered Species Act of 1973 by detrimentally affecting endangered or threatened species or their habitats.

The lessee/operator may, unless notified by the authorized officer of the SMA that the examination is not necessary, conduct the examination on the leased lands at his discretion and cost. This examination must be done by or under the supervision of a qualified resources specialist approved by the SMA. An acceptable report must be provided to the SMA identifying the anticipated effects of a proposed action on endangered or threatened species or their habitats.

RAPTOR STIPULATION FOR THE KEVIN RIM AND SWEET GRASS HILLS  
AREAS OF CRITICAL ENVIRONMENTAL CONCERN

As directed by the West HiLine Resource Management Plan/Environmental Impact Statement, Final, 1988, the Rocky Mountain Front Raptor Guidelines will be followed for all activities associated with this lease. At the time of APD approval, any portion or all of the site specific stipulations will be developed from the guidelines. Exceptions to stipulations in any particular year may be specifically approved in writing by the authorized officer.

Following are general recommended nest buffer zones related to various human activities. These recommended zones are not inclusive; details in terrain, vegetation, type and duration and familiarity of disturbance, specific temperament of individual birds, phase of nesting cycle, etc., all enter into determining the actual needed buffer zone at a given nest site. Preclusion of human activity at a given nest territory should be tempered with as many variables as possible and on a site

<u>Activity</u>	<u>Recommended buffer zones</u>
Off-road vehicle use	1/4 mi - 1/2 mi
Camping	1/4 mi - 1/2 mi
Hiking	1/4 mi - 1/2 mi
Road Construction	1/2 mi - 1 mi
Building/construction	1/2 mi - 3 mi
Mining/heavy equip. or blasting	1 mi - 3 mi
Aircraft flights (low altitude)	1/4 mi - 1 mi

Approximate nesting dates for some raptors that occur in the West HiLine Area:

<u>Species</u>	<u>Approximate Dates of Nesting Season</u>
Turkey Vulture	April 15 - August 1
<u>*Golden Eagle</u>	February 1 - July 30
<b>**Bald Eagle</b>	February 15 - August 15
Northern Harrier	April 1 - July 15
Sharp-Shinned Hawk	April 15 - August 15
*Coopers Hawk	April 15 - August 15
*Northern Goshawk	April 15 - August 15
Red-tailed Hawk	April 15 - August 15
Swainson's Hawk	May 1 - September 15
<u>*Ferruginous Hawk</u>	April 1 - July 30
American Kestrel	May 1 - August 15
*Merlin	April 15 - August 15
<u>*Prairie Falcon</u>	March 15 - July 30
<b>**Peregrine Falcon</b>	April 15 - August 1
Short-eared Owl	March 1 - August 1
Long-eared Owl	March 1 - August 1
Great-horned Owl	January 1 - August 1
Great gray Owl	March 1 - August 15
Eastern Screech Owl	March 1 - July 1
Northern pygmy Owl	March 1 - July 15
*Northern Saw-whet Owl	March 1 - August 30
*Burrowing Owl	March 15 - July 15

\*Species of special interest or concern

\*\*Federally Listed Species

Species most common to Kevin Rim and Sweet Grass Hills are underlined

7-00-1,7-00-3,7-00-7,7-00-8

UNITED STATES DEPARTMENT OF THE INTERIOR  
Bureau of Land Management

Serial No.

**SPECIAL STIPULATION**

**United States - Canada International Boundary**

Exploration and production operations within the International Boundary Reservation, which is a 60-foot strip along the United States - Canada border, are subject to the following provisions:

- (a) The international boundary markers shall not be disturbed;
- (b) The boundary vistas shall not be obstructed permanently, or for any lesser period of time not previously approved in writing by the International Boundary Commission, within a width of three (3) meters of the boundary line; and
- (c) The International Boundary Commission at all times will be left free to discharge its responsibilities under the Convention of 1908, the Treaty of 1925, and any other applicable legal authority without added expense and without undue interference or delay.

(September 1998)

**7-00-1**

Serial No.

### **LEASE NOTICE**

The lease parcel has been identified as occurring in an area known to have swift fox, a candidate species proposed for listing under the Endangered Species Act. As per BLM regulations to treat this species as if it were listed, to prevent detrimental actions which may contribute to the need to list this species, all disturbance sites or areas will have to be ground cleared prior to any disturbances.

**7-00-10, 7-00-11**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**NO SURFACE OCCUPANCY STIPULATION**

Serial No.

Surface occupancy and use is prohibited within riparian areas, 100-year flood plains of major rivers, and on water bodies and streams.

On the lands described below:

T 8 N, R 21 E, PMM  
Sec. 20: SE  
26: NESW  
28: N2NE

For the purpose of:

To protect the unique biological and hydrological features associated with riparian areas, 100-year flood plains of major rivers, and water bodies and streams.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO (September 1998)

**7-00-14**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**TIMING LIMITATION STIPULATION**

Serial No.

Surface use is prohibited from March 1 to June 15 in grouse nesting habitat within 2 miles of a lek. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 8 N, R 21 E, PMM  
Sec 6: LOTS 14,15  
6: NESW,NWSE

For the purpose of (reasons):

To protect sharptail and sage grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for the long-term maintenance of grouse populations in the area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING (September 1998)

**7-00-14**





United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**TIMING LIMITATION STIPULATION**

Serial No.

Surface use is prohibited from December 1 to March 31 within crucial winter range for wildlife. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 8 N, R 21 E, PMM  
Sec 26: NESW

For the purpose of (reasons):

To protect crucial white-tailed deer, mule deer, elk, antelope, moose, bighorn sheep, and sage grouse winter range from disturbance during the winter use season, and to facilitate long-term maintenance of wildlife populations.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING (September 1998)

**7-00-14**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**TIMING LIMITATION STIPULATION**

Serial No.

Surface use is prohibited from March 1 to June 15 in grouse nesting habitat within 2 miles of a lek. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 8 N, R 21 E, PMM  
Sec. 34: ALL

For the purpose of (reasons):

To protect sharptail and sage grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for the long-term maintenance of grouse populations in the area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING (September 1998)

**7-00-15**



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**NO SURFACE OCCUPANCY STIPULATION**

Serial No.

Surface occupancy and use is prohibited within riparian areas, 100-year flood plains of major rivers, and on water bodies and streams.

On the lands described below:

T 8 N, R 22 E, PMM  
Sec. 4: LOTS 3,4  
30: LOT 4, S2SE  
32: NWNE, NENW

For the purpose of:

To protect the unique biological and hydrological features associated with riparian areas, 100-year flood plains of major rivers, and water bodies and streams.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO (September 1998)



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**TIMING LIMITATION STIPULATION**

Serial No.

Surface use is prohibited from March 1 to June 15 in grouse nesting habitat within 2 miles of a lek. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 8 N, R 22 E, PMM  
Sec. 14: NWNW  
30: LOTS 1,2,3,4  
30: E2W2,W2SE

For the purpose of (reasons):

To protect sharptail and sage grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for the long-term maintenance of grouse populations in the area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING (September 1998)

**7-00-17**

Serial No.

**LEASE NOTICE**

An occupied dwelling is located in the SESESE Section 24, T. 10 N., R. 35 E., PMM. All exploration and development activities must occur within a reasonable distance from these dwellings. Any surface disturbance is subject to 43 CFR 3101.1-2.

**07-00-18**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**TIMING LIMITATION STIPULATION**

Serial No.

Surface use is prohibited from March 1 to June 15 in grouse nesting habitat within 2 miles of a lek. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 10 N, R 26 E, PMM  
Sec 32: NE, E2NW, S2

For the purpose of (reasons):

To protect sharptail and sage grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for the long-term maintenance of grouse populations in the area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING (September 1998)

**7-00-18**



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**NO SURFACE OCCUPANCY STIPULATION**

Serial No.

Surface occupancy and use for exploratory well drilling and production is prohibited within Medicine Lake National Wildlife Refuge lands.

On the lands described below:

T. 32 N., R. 57 E., P.M.M.

Sec. 30: Lot 6

30: N2SE, SESE

30: That portion of the bed of Medicine Lake  
riparian to Lot 6

For the purpose of:

To protect migratory birds, waterfowl habitat, and Medicine Lake National Wildlife Refuge lands.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO (September 1998)

**07-00-23**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**TIMING LIMITATION STIPULATION**

Serial No.

Surface use for seismic exploration is limited to November 15 to March 15 and techniques which have the least impact to migratory birds. A special use permit must be obtained from the Medicine Lake National Wildlife Refuge Manager before conducting any seismic exploration work.

On the lands described below:

T 32 N, R 57 E, PMM  
Sec. 30: LOT 6  
30: N2SE, SESE  
30: THAT PORTION OF THE BED OF MEDICINE LAKE  
RIPARIAN TO LOT 6

For the purpose of (reasons):

To protect migratory birds, waterfowl habitat, and Medicine Lake National Wildlife Refuge lands.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING (September 1998)

07-00-23

U.S. Department of the Interior  
Bureau of Land Management  
Montana State Office

## DRAINAGE STIPULATION

Serial No.

All or portions of the lands contained in this lease are subject to drainage by well(s) located adjacent to this lease. The well(s) and producing formations(s) are listed as follows:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Subdivision</u>	<u>Well</u>	<u>Formation(s)</u>
32 N	57 E	30	SENE	#30-42	Red River

The lessee shall, within 90 days of lease issuance, notify the Miles City Field Office of his plans to protect the lease from drainage or, alternatively demonstrate to the authorized officer that a protective well would have little or no chance of encountering oil and gas in quantities sufficient to pay in excess the costs of drilling and operating the well. Failure to comply with this provision could result in the assessment of compensatory royalties.

Drainage (September 1998)

**7-00-23**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**TIMING LIMITATION STIPULATION**

Serial No.

Surface use is prohibited from December 1 to March 31 within crucial winter range for wildlife. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 9 N, R 59 E, PMM  
Sec. 14: NE

For the purpose of (reasons):

To protect crucial white-tailed deer, mule deer, elk, antelope, moose, bighorn sheep, and sage grouse winter range from disturbance during the winter use season, and to facilitate long-term maintenance of wildlife populations.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING (September 1998)

**07-00-24**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 9 N, R 59 E, PMM  
Sec. 14: NE

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**07-00-24**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**TIMING LIMITATION STIPULATION**

Serial No.

Surface use is prohibited from December 1 to March 31 within crucial winter range for wildlife. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 9 N, R 60 E, PMM  
Sec. 26: W2W2

For the purpose of (reasons):

To protect crucial white-tailed deer, mule deer, elk, antelope, moose, bighorn sheep, and sage grouse winter range from disturbance during the winter use season, and to facilitate long-term maintenance of wildlife populations.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING (September 1998)

**7-00-26**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**NO SURFACE OCCUPANCY STIPULATION**

Serial No.

Surface occupancy and use is prohibited within 1/4 mile of grouse leks.

On the lands described below:

T 9 N, R 60 E, PMM  
Sec. 29: SE

For the purpose of:

To protect sharptail and sage grouse lek sites necessary for the long-term maintenance of grouse populations in the area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO (September 1998)

**7-00-27**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**TIMING LIMITATION STIPULATION**

Serial No.

Surface use is prohibited from December 1 to March 31 within crucial winter range for wildlife. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 9 N, R 60 E, PMM  
Sec. 28: N2NE,W2  
29: SE  
34: N2N2,SENE,N2SE,SESE

For the purpose of (reasons):

To protect crucial white-tailed deer, mule deer, elk, antelope, moose, bighorn sheep, and sage grouse winter range from disturbance during the winter use season, and to facilitate long-term maintenance of wildlife populations.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING (September 1998)

**7-00-27**



FS Parcel No. \_\_\_\_\_

Serial No. \_\_\_\_\_

NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM  
UNDER JURISDICTION OF  
DEPARTMENT OF AGRICULTURE

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this STIPULATION are to be addressed to:

Forest Supervisor, Helena National Forest  
2880 Skyway Drive  
Helena, MT 59601

who is the authorized representative of the Secretary of Agriculture.

**CULTURAL AND PALEONTOLOGICAL RESOURCES** - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall

1. Contact the FS to determine if a site-specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface-disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and the BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and the BLM any cultural or paleontological resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the FS and the BLM.

**FLOODPLAIN AND WETLANDS** - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystem, will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

USDA-Forest Service

R1-FS-2820-13c (10/92)

**7-00-29,7-00-30,7-00-31,7-00-32,7-00-33**

**Parcel No.**

**Serial No.**

**USDA-FOREST SERVICE**

**THREATENED, ENDANGERED, AND SENSITIVE  
PLANT OR ANIMAL SPECIES LEASE NOTICE**

The lease area may contain threatened and endangered species or habitat necessary for the continued existence of threatened, proposed and endangered species which are protected by the 1973 Endangered Species Act, as amended (50 CFR 402). The lease area may also contain habitat or species, listed as sensitive, which may require protective measures to prevent them from being listed as threatened or endangered or result in a loss of viability or biological diversity (36 CFR 219.19 or 219.26). A biological evaluation of the leased lands may be required prior to surface-disturbance to determine if threatened, endangered, or sensitive plant or animal species or their habitat are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:

1. Contact the Forest Service to determine if a biological evaluation is required (FSM 2670.31-32). The Forest Service is responsible for ensuring that the leased land is examined through a biological evaluation, prior to undertaking any surface-disturbing activities, to determine effects upon any plant or animal species listed or proposed for listing as threatened, endangered, or sensitive.
2. The lessee or operator may choose to conduct the evaluation on the leased lands at their discretion and cost. This biological evaluation must be done by or under the supervision of a qualified biologist/botanist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of a proposed action on threatened, endangered, or sensitive species. An acceptable biological evaluation is to be submitted to the Forest Service for review and approval no later than that time when an otherwise complete application for approval of drilling or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the Forest Service. Mitigation may include the relocation of proposed lease-related activities or other protective measures. The findings of the biological evaluation may result in some restrictions to the operator's plans or even disallow use and occupancy to comply with the 1973 Endangered Species Act (as amended), threatened and endangered regulations and Forest Service regulations.

If threatened, endangered, or sensitive plant or animal species are discovered in the area after any required biological evaluation has concluded, an evaluation will be conducted to assess the effect of ongoing and proposed activities. Based on the conclusion drawn in the evaluation, additional restrictions or prohibitions may be imposed to protect the species or their habitats.

USDA-Forest Service

R1-FS-2820-18 (10/92)

**7-00-29, 7-00-30, 7-00-31, 7-00-32, 7-00-33  
7-00-48, 7-00-50, 7-00-51, 7-00-52, 7-00-53**

**Parcel No.**

**Serial No.**

### **NOTICE**

Lands contained within this (lease, license, permit, or contract) are subject to the Forest Service Interim Rule, "Administration of the Forest Development Transportation System: Temporary Suspension of Road Construction and Reconstruction in Unroaded Areas"; Federal Register/Vol. 64, No. 29/Friday, February 12, 1999, pages 7290 through 7305. These lands will also be subject to the final road management policy which will be set within 18 months.

No road construction will be allowed within the unroaded area until the Forest Service adopts its revised road management policy or 18 months from the effective date of this final interim rule, whichever is sooner.

USDA - Forest Service

R1-FS-2820-21 (01/2000)

**7-00-29,7-00-30,7-00-31,7-00-32,  
7-00-48,7-00-50,7-00-51**

Serial No.

### **NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 14 N, R 5 W, PMM  
Sec. 6: Portions of Lot 7

For the purpose of:

1. To preclude surface disturbing activities on areas within 100 feet of water courses, water bodies, flood plains, and riparian areas to protect water quality. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-31 and Record of Decision, p. 15).

2. To preclude surface disturbing activities and protect riparian areas and jurisdictional wetlands relative to Executive Order 11990. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-32 and 33 and Record of Decision, p. 16).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

FS-2820-14 (1/90)

**07-00-29**

### **NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 14 N, R 5 W, PMM  
Sec. 6: Portions of Lots 4,5,6,7

For the purpose of:

To preclude construction of well sites, but allow related facilities such as roads and pipelines on slopes between 40 and 60 percent, and to preclude surface disturbing activities on sensitive soils that have a high erosion/stability hazard (including wetlands) which would be difficult to reclaim. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-30 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Serial No.

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

June 1 to September 30

On the lands described below:

T 14 N, R 5 W, PMM  
Sec. 6: Lots 4,5,6,7

For the purpose of (reasons):

To preclude surface disturbing activities, including interrupting drilling operations, within big game summer range which could cause increased stress and/or displacement of animals during the critical time period (June 1 to September 31) to insure big game animals have areas of security that provide habitat components needed to keep animals healthy as they go into breeding period and hunting season. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-8 and Record of Decision, p. 10).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-29**

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

April 15 to June 30

On the lands described below:

T 14 N, R 5 W, PMM  
Sec. 6: Lots 4,5,6,7

For the purpose of (reasons):

To preclude surface disturbing activities within the big game birthing areas which could cause increased stress and/or displacement during the critical time period. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-7 and Record of Decision, p. 8).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Serial No.

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Activities within 500 feet of water courses, water bodies, flood plains, and riparian areas may be located and/or designed to avoid or minimize the potential for adverse effects to surface water.

On the lands described below:

T 14 N, R 5 W, PMM  
Sec. 6: Portions of Lots 6,7

For the purpose of:

To protect water resources. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-32 and Record of Decision, p. 16).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-29**



Serial No.

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Proposed activities would be required to be located or designed to meet the visual quality objectives of retention midground, retention background, or partial retention within one year of completing operations.

On the lands described below:

T 14 N, R 5 W, PMM  
Sec. 6: Lots 4,5,6,7

For the purpose of:

To ensure that the visual quality of the area is maintained. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-28 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-29**

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Activities on slopes 30 to 40 percent may be located and/or designed to avoid or minimize adverse effects to soil and water.

On the lands described below:

T 14 N, R 5 W, PMM  
Sec. 6: Portions of Lots 4,5,6,7

For the purpose of:

Surface disturbance within these areas could adversely affect soil and water.  
(Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-31 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-29**

Serial No.

### **NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 14 N, R 5 W, PMM  
Sec. 18: Portions of Lots 1,4

For the purpose of:

1. To preclude surface disturbing activities on areas within 100 feet of water courses, water bodies, flood plains, and riparian areas to protect water quality. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-31 and Record of Decision, p. 15).

2. To preclude surface disturbing activities and protect riparian areas and jurisdictional wetlands relative to Executive Order 11990. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-32 and 33 and Record of Decision, p. 16).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-14 (1/90)

**7-00-30**

### **NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 14 N, R 5 W, PMM  
Sec. 18: Portions of Lots 1,2,3,4,E2W2

For the purpose of:

To preclude construction of well sites, but allow related facilities such as roads and pipelines on slopes between 40 and 60 percent, and to preclude surface disturbing activities on sensitive soils that have a high erosion/stability hazard (including wetlands) which would be difficult to reclaim. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-30 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-14 (1/90)

**7-00-30**

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

June 1 to September 30

On the lands described below:

T 14 N, R 5 W, PMM

Sec. 18: Lots 1,2,E2W2; portions of Lots 3,4,

For the purpose of (reasons):

To preclude surface disturbing activities, including interrupting drilling operations, within big game summer range which could cause increased stress and/or displacement of animals during the critical time period (June 1 to September 31) to insure big game animals have areas of security that provide habitat components needed to keep animals healthy as they go into breeding period and hunting season. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-8 and Record of Decision, p. 10).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-30**

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

April 15 to June 30

On the lands described below:

T 14 N, R 5 W, PMM

Sec. 18: Lots 1,2,E2W2; portions of Lots 3,4

For the purpose of (reasons):

To preclude surface disturbing activities within the big game birthing areas which could cause increased stress and/or displacement during the critical time period. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-7 and Record of Decision, p. 8).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-30**

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Activities within 500 feet of water courses, water bodies, flood plains, and riparian areas may be located and/or designed to avoid or minimize the potential for adverse effects to surface water.

On the lands described below:

T 14 N, R 5 W, PMM  
Sec. 18: Portions of Lots 1,4,NENW,SESW

For the purpose of:

To protect water resources. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-32 and Record of Decision, p. 16).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-30**

### CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Activities on slopes 30 to 40 percent may be located and/or designed to avoid or minimize adverse effects to soil and water.

On the lands described below:

T 14 N, R 5 W, PMM  
Sec. 18: Portions of Lots 1,2,3,4,E2W2

For the purpose of:

Surface disturbance within these areas could adversely affect soil and water.  
(Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-31 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-30**



### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Proposed activities would be required to be located or designed to meet the visual quality objectives of retention midground, retention background, or partial retention within one year of completing operations.

On the lands described below:

T 14 N, R 5 W, PMM

Sec. 18: Lots 1,2,E2W2; portions of Lots 3,4

For the purpose of:

To ensure that the visual quality of the area is maintained. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-28 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-30**

Parcel No. 15N-05W-001

Serial No.

### NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 15 N, R 5 W, PMM  
Sec. 18: SWNE, W2, W2SE

For the purpose of:

To preclude construction of well sites, but allow related facilities such as roads and pipelines on slopes between 40 and 60 percent, and to preclude surface disturbing activities on sensitive soils that have a high erosion/stability hazard (including wetlands) which would be difficult to reclaim. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-30 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-14 (1/90)

**7-00-31**

### NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 15 N, R 5 W, PMM  
Sec. 18: Portions of W2W2, SENW, NESW

For the purpose of:

1. To preclude surface disturbing activities on areas within 100 feet of water courses, water bodies, flood plains, and riparian areas to protect water quality. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-31 and Record of Decision, p. 15).
2. To preclude surface disturbing activities and protect riparian areas and jurisdictional wetlands relative to Executive Order 11990. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-32 and 33 and Record of Decision, p. 16).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

April 15 to June 30

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 18: Portions of W2W2

For the purpose of (reasons):

To preclude surface disturbing activities within the big game birthing areas which could cause increased stress and/or displacement during the critical time period. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-7 and Record of Decision, p. 8).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Serial No.

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

June 1 to September 30

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 18: Portions of SWSW

For the purpose of (reasons):

To preclude surface disturbing activities, including interrupting drilling operations, within big game summer range which could cause increased stress and/or displacement of animals during the critical time period (June 1 to September 31) to insure big game animals have areas of security that provide habitat components needed to keep animals healthy as they go into breeding period and hunting season. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-8 and Record of Decision, p. 10).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-31**

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

April 1 to June 30

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 18: SWNE, W2, W2SE

For the purpose of (reasons):

To preclude surface disturbing activities, including drilling operations, within the critical Spring Grizzly Bear habitat which could cause increased stress and/or displacement of animals during the critical time period. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-17 and Record of Decision, p. 12).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-31**

### CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

1. To ensure that proposed activities do not adversely affect the viability of Threatened and Endangered (T&E) species, operations will be designed, including limiting noise levels, and/or located so as to not adversely affect the viability of T&E species.
2. To restrict the timing or type of activities on roads, if needed to control human-animal conflicts or disturbances.
3. To require coordination of timing and timing adjustments of activities within T&E occupied areas to avoid or minimize the potential for adverse effects to T&E species because of cumulative impacts from oil and gas activities, plus other activities within the area.

This stipulation may limit the extent of field development.

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 18: SWNE, W2, W2SE

For the purpose of:

To ensure that proposed activities do not adversely affect the viability of T&E species. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-15, C-16 and Record of Decision, p. 12).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

### CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Activities on slopes 30 to 40 percent may be located and/or designed to avoid or minimize adverse effects to soil and water.

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 18: Portions of SWNE, W2, W2SE

For the purpose of:

Surface disturbance within these areas could adversely affect soil and water. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-31 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-31**



### CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Activities within 500 feet of water courses, water bodies, flood plains, and riparian areas may be located and/or designed to avoid or minimize the potential for adverse effects to surface water.

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 18: Portions of SWNE, NWNW, S2NW, SW

For the purpose of:

To protect water resources. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-32 and Record of Decision, p. 16).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-31**

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Proposed activities would be required to be located or designed to meet the visual quality objectives of retention midground, retention background, or partial retention within one year of completing operations.

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 18: SWNE, W2, W2SE

For the purpose of:

To ensure that the visual quality of the area is maintained. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-28 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-31**

Parcel No. 15N-05W-002

Serial No.

### **NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 15 N, R 5 W, PMM  
Sec. 30: Portions of N2,N2SW

For the purpose of:

To preclude construction of well sites, but allow related facilities such as roads and pipelines on slopes between 40 and 60 percent, and to preclude surface disturbing activities on sensitive soils that have a high erosion/stability hazard (including wetlands) which would be difficult to reclaim. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-30 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-14(1/90)

**7-00-32**

### NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 15 N, R 5 W, PMM  
Sec. 30: Portions of W2NE, N2NW

For the purpose of:

1. To preclude surface disturbing activities on areas within 100 feet of water courses, water bodies, flood plains, and riparian areas to protect water quality. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-31 and Record of Decision, p. 15).

2. To preclude surface disturbing activities and protect riparian areas and jurisdictional wetlands relative to Executive Order 11990. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-32 and 33 and Record of Decision, p. 16).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-14(1/90)

**7-00-32**

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

April 15 to June 30

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 30: N2, N2SW

For the purpose of (reasons):

To preclude surface disturbing activities within the big game birthing areas which could cause increased stress and/or displacement during the critical time period. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-7 and Record of Decision, p. 8).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-32**

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

June 1 to September 30

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 30: N2, N2SW

For the purpose of (reasons):

To preclude surface disturbing activities, including interrupting drilling operations, within big game summer range which could cause increased stress and/or displacement of animals during the critical time period (June 1 to September 31) to insure big game animals have areas of security that provide habitat components needed to keep animals healthy as they go into breeding period and hunting season. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-8 and Record of Decision, p. 10).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-32**

Serial No.

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

April 1 to June 30

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 30: Portions of W2NW

For the purpose of (reasons):

To preclude surface disturbing activities, including drilling operations, within the critical Spring Grizzly Bear habitat which could cause increased stress and/or displacement of animals during the critical time period. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-17 and Record of Decision, p. 12).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-32**

Serial No.

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

October 15 - April 15

On the lands described below:

T 15 N, R 5 W, PMM

Sec. 30: SENE, NESW; portions of N2NE, SWNE, SENW, NWSW

For the purpose of (reasons):

To preclude surface disturbing activities, including interrupting drilling operations, within the Grizzly Bear denning areas which could cause increased stress and/or displacement of animals during the critical time period. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-17 and Record of Decision, p. 12).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-32**



### CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

1. To ensure that proposed activities do not adversely affect the viability of Threatened and Endangered (T&E) species, operations will be designed, including limiting noise levels, and/or located so as to not adversely affect the viability of T&E species.
2. To restrict the timing or type of activities on roads, if needed to control human-animal conflicts or disturbances.
3. To require coordination of timing and timing adjustments of activities within T&E occupied areas to avoid or minimize the potential for adverse effects to T&E species because of cumulative impacts from oil and gas activities, plus other activities within the area.

This stipulation may limit the extent of field development.

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 30: N2,N2SW

For the purpose of:

To ensure that proposed activities do not adversely affect the viability of T&E species. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-15, C-16 and Record of Decision, p. 12).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

### CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Activities on slopes 30 to 40 percent may be located and/or designed to avoid or minimize adverse effects to soil and water.

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 30: NWNE, S2NE, N2NW, SENW, N2SW

For the purpose of:

Surface disturbance within these areas could adversely affect soil and water.  
(Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-31 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-32**

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Activities within 500 feet of water courses, water bodies, flood plains, and riparian areas may be located and/or designed to avoid or minimize the potential for adverse effects to surface water.

On the lands described below:

T 15 N, R 5W, PMM  
Sec. 30: Portions of W2NE,NW

For the purpose of:

To protect water resources. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-32 and Record of Decision, p. 16).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-32**

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Proposed activities would be required to be located or designed to meet the visual quality objectives of retention midground, retention background, or partial retention within one year of completing operations.

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 30: N2,N2SW

For the purpose of:

To ensure that the visual quality of the area is maintained. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-28 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-32**

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Activities will be located or designed to protect features important to the suitability of the Continental Divide as a biological corridor for a distance of 1/2 mile from the divide to 1 mile from the divide.

On the lands described below:

T 15 N, R 5 W, PMM  
Sec. 30: Portions of W2NW, NWSW

For the purpose of:

To ensure continued use of the Continental Divide as a biological corridor. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-11 and Record of Decision, p. 11).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-32**

Parcel No. 13N-06W-001

Serial No.

### **NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 13 N, R 6 W, PMM

Sec. 4: Portions of Lots 7, 8, NWNW, SENW, NESW, S2SW

Sec. 5: Portions of Lots 2, 4, SWNE, S2NW, S2

Sec. 6: Portions of Lots 1, 2, 5, 6, 7, SESW, N2SE, SWSE

For the purpose of:

To preclude construction of well sites, but allow related facilities such as roads and pipelines on slopes between 40 and 60 percent, and to preclude surface disturbing activities on sensitive soils that have a high erosion/stability hazard (including wetlands) which would be difficult to reclaim. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-30 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-14 (1/90)

**7-00-33**

Parcel No. 13N-06W-001

Serial No.

### **NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 13 N, R 6 W, PMM

Sec. 4: Portions of Lots 7,8,SENE,NESW,W2SW

Sec. 5: Portions of Lots 2,4,SWNE,S2NW,NESW,NESE,S2S2

Sec. 6: Portions of Lots 1,2,7,SENE,E2SW,N2SE

For the purpose of:

1. To preclude surface disturbing activities on areas within 100 feet of water courses, water bodies, flood plains, and riparian areas to protect water quality. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-31 and Record of Decision, p. 15).
2. To preclude surface disturbing activities and protect riparian areas and jurisdictional wetlands relative to Executive Order 11990. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-32 and 33 and Record of Decision, p. 16).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-14(1/90)

**7-00-33**

Parcel No. 13N-06W-001

Serial No.

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

December 1 to May 15

On the lands described below:

T 13 N, R 6 W, PMM

Sec. 4: Lots 7,8,NWNW,S2NW,SW

Sec. 5: Lots 1,2,3,4,S2N2,S2

Sec. 6: Lots 1,2,3,5,6,7,S2NE,SE; portions of Lot 4

For the purpose of (reasons):

1. To preclude surface disturbing activities within big game winter range which could cause increased stress and/or displacement of animals during the critical time period. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-5 and Record of Decision, p. 10).

2. To preclude surface disturbing activities, including interrupting drilling operations, within the big game winter range which could cause displacement of prey animals for wolf during the critical time period. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-20 and Record of Decision, p. 13).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-33**



Parcel No. 13N-06W-001

Serial No.

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

April 15 to June 30

On the lands described below:

T 13 N, R 6 W, PMM

Sec. 4: Lots 7,8,S2SW; portions of NWNW,S2NW,N2SW

Sec. 5: SE; portions of Lots 1,3,4,S2N2,N2SW,SESW

Sec. 6: Lots 1,2,3,4; portions of Lot 5,S2NE,SENW

For the purpose of (reasons):

To preclude surface disturbing activities within the big game birthing areas which could cause increased stress and/or displacement during the critical time period. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-7 and Record of Decision, p. 8).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-33**

Parcel No. 13N-06W-001

Serial No.

### **TIMING LIMITATION STIPULATION**

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

June 1 to September 30

On the lands described below:

T 13 N, R 6 W, PMM  
Sec. 6: Portions of Lots 4,5,SENW

For the purpose of (reasons):

To preclude surface disturbing activities, including interrupting drilling operations, within big game summer range which could cause increased stress and/or displacement of animals during the critical time period (June 1 to September 31) to insure big game animals have areas of security that provide habitat components needed to keep animals healthy as they go into breeding period and hunting season. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-8 and Record of Decision, p. 10).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-15(1/90)

**7-00-33**

Parcel No. 13N-06W-001

Serial No.

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Activities on slopes 30 to 40 percent may be located and/or designed to avoid or minimize adverse effects to soil and water.

On the lands described below:

T 13 N, R 6 W, PMM

Sec. 4: Portions of Lots 7,8,NWNW,S2NW,SW

Sec. 5: Portions of Lots 1,2,3,4,S2N2,S2

Sec. 6: Portions of Lots 1,2,3,4,5,6,7,S2NE,SENE,E2SW,N2SE,SWSE

For the purpose of:

Surface disturbance within these areas could adversely affect soil and water.  
(Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-31 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-33**

Parcel No. 13N-06W-001

Serial No.

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Activities within 500 feet of water courses, water bodies, flood plains, and riparian areas may be located and/or designed to avoid or minimize the potential for adverse effects to surface water.

On the lands described below:

T 13 N, R 6 W, PMM

Sec. 4: Portions of Lots 7, 8, NWNW, SENW, SW

Sec. 5: Portions of Lots 2, 3, 4, SWNE, S2NW, S2

Sec. 6: Portions of Lots 1, 2, 3, 4, 6, 7, S2NE, E2SW, N2SE, SWSE

For the purpose of:

To protect water resources. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-32 and Record of Decision, p. 16).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-33**

Parcel No. 13N-06W-001

Serial No.

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Proposed activities would be required to be located or designed to meet the visual quality objectives of retention midground, retention background, or partial retention within one year of completing operations.

On the lands described below:

T 13 N, R 6 W, PMM

Sec. 4: Lots 7,8,S2SW; portions of NWNW,S2NW,N2SW

Sec. 5: Lot 4,SWNW,S2; portions of Lots 1,2,3,S2NE,SENW

Sec. 6: Lots 1,2,3,4,5,6,7,S2NE,SENW,E2SW,SE

For the purpose of:

To ensure that the visual quality of the area is maintained. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-28 and Record of Decision, p. 15).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-33**

Parcel No. 13N-06W-001

Serial No.

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

To require coordination of timing and timing adjustments in activities within big game migration routes.

On the lands described below:

T 13 N, R 6 W, PMM

Sec. 4: Lots 7,8,NWNW,S2NW,SW

Sec. 5: Lots 1,2,3,4,S2N2,S2

Sec. 6: Lots 1,2,3,4,5,6,7,S2NE,SENE,E2SW,SE

For the purpose of:

To avoid or minimize the potential for adverse effects to big game because of cumulative impacts from other activities along the migration route. Surface activities within these areas could adversely impact big game migration. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-9 and Record of Decision, p. 10).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-33**

Parcel No. 13N-06W-001

Serial No.

### **CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints:

Coordination of surface disturbing activities associated with field development and/or other limitations to spread surface disturbance activities over time and space within big game winter range areas.

On the lands described below:

T 13 N, R 6 W, PMM

Sec. 4: Lots 7, 8, NWNW, S2NW, SW

Sec. 5: Lots 1, 2, 3, 4, S2N2, S2

Sec. 6: Lots 1, 2, 3, 5, 6, 7, S2NE, SENW, E2SW, SE; portion of Lot 4

For the purpose of:

To avoid or minimize the potential for adverse effects to big game species. (Helena National Forest and Elkhorn Mountains portion of the Deerlodge National Forest Oil and Gas EIS, Appendix C-6 and Record of Decision, p. 10).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-16(1/90)

**7-00-33**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 8 S, R 42 E, PMM  
Sec 9: SE  
11: W2

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**7-00-34**



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**TIMING LIMITATION STIPULATION**

Serial No.

Surface use is prohibited from March 1 to June 15 in grouse nesting habitat within 2 miles of a lek. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 1 S, R 47 E, PMM  
Sec. 10: N2NE, SENE, NWSW

For the purpose of (reasons):

To protect sharptail and sage grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for the long-term maintenance of grouse populations in the area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING (September 1998)



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 1 S, R 47 E, PMM  
Sec. 20: Lots 1,2,3,4  
20: W2E2,W2

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance, a surface use plan of operations (SUPO) for oil and gas activities must be approved for black-footed ferret reintroduction areas by the authorized officer in consultation with the U.S. Fish and Wildlife Service (USFWS).

On the lands described below:

T 1 S, R 47 E, PMM  
Sec. 2: Lot 1  
4: Lot 4  
4: S2  
10: N2NE, SENE, NWSW  
20: Lots 1, 2, 3, 4  
20: W2E2, W2  
26: N2NW, S2SW

For the purpose of:

To protect designated black-footed ferret reintroduction habitat areas.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 9 S, R 48 E, PMM  
Sec 1: LOTS 1,2  
1: SENE, E2SE  
12: NENE

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)





United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

All surface-disturbing activities, semi-permanent and permanent facilities in VRM Class II, areas may require special design, including location, painting, and camouflage, to blend with the natural surroundings and meet the visual quality objectives for the area.

On the lands described below:

T 9 S, R 48 E, PMM  
Sec 1: LOTS 1,2  
1: SENE, E2SE  
12: NENE

For the purpose of:

To control the visual impacts of activities and facilities within acceptable levels.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 9 S, R 48 E, PMM  
Sec 23: NWNE, S2NE, NW, S2  
24: NENE, S2N2, S2  
24: THAT PORTION OF THE NWNW LYING OUTSIDE THE WSA

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

All surface-disturbing activities, semi-permanent and permanent facilities in VRM Class II, areas may require special design, including location, painting, and camouflage, to blend with the natural surroundings and meet the visual quality objectives for the area.

On the lands described below:

T 9 S, R 48 E, PMM  
Sec 23: NWNE, S2NE, W2SE  
24: NENE, S2NW, SW  
24: THAT PORTION OF THE NWNW LYING OUTSIDE THE WSA

For the purpose of:

To control the visual impacts of activities and facilities within acceptable levels.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 9 S, R 49 E, PMM  
Sec 17: E2

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**7-00-39**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance, prairie dog colonies and complexes 80 acres or more in size will be examined to determine the absence or presence of black-footed ferrets. The findings of this examination may result in some restrictions to the operator's plans or may even preclude use and occupancy that would be in violation of the Endangered Species Act (ESA) of 1973.

The lessee or operator may, at their own option, conduct an examination on the leased lands to determine if black-footed ferrets are present, or if the proposed activity will have an adverse effect, or if the area can be cleared. This examination must be done by or under the supervision of a qualified resource specialist approved by the Surface Management Agency (SMA).

An acceptable report must be provided to the SMA documenting the presence or absence of black-footed ferrets and identifying the anticipated effects of the proposed action on the black-footed ferret and its habitat. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 9 S, R 49 E, PMM  
Sec 18: NENE

For the purpose of:

To assure compliance with the Endangered Species Act (ESA) by locating and protecting black-footed ferrets and their habitat.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**7-00-39**



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

All surface-disturbing activities, semi-permanent and permanent facilities in VRM Class II, areas may require special design, including location, painting, and camouflage, to blend with the natural surroundings and meet the visual quality objectives for the area.

On the lands described below:

T 9 S, R 49 E, PMM  
Sec 17: E2,NW,N2SW,SESW

For the purpose of:

To control the visual impacts of activities and facilities within acceptable levels.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 9 S, R 49 E, PMM  
Sec 18: PORTION OF LOT 4 OUTSIDE WSA  
18: PORTION OF E2SW OUTSIDE WSA  
19: LOTS 1,2,3,4  
19: E2,E2W2

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**7-00-40**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance, prairie dog colonies and complexes 80 acres or more in size will be examined to determine the absence or presence of black-footed ferrets. The findings of this examination may result in some restrictions to the operator's plans or may even preclude use and occupancy that would be in violation of the Endangered Species Act (ESA) of 1973.

The lessee or operator may, at their own option, conduct an examination on the leased lands to determine if black-footed ferrets are present, or if the proposed activity will have an adverse effect, or if the area can be cleared. This examination must be done by or under the supervision of a qualified resource specialist approved by the Surface Management Agency (SMA).

An acceptable report must be provided to the SMA documenting the presence or absence of black-footed ferrets and identifying the anticipated effects of the proposed action on the black-footed ferret and its habitat. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

T 9 S, R 49 E, PMM  
Sec 19: E2E2  
20: SWSW

For the purpose of:

To assure compliance with the Endangered Species Act (ESA) by locating and protecting black-footed ferrets and their habitat.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**7-00-40**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

All surface-disturbing activities, semi-permanent and permanent facilities in VRM Class II, areas may require special design, including location, painting, and camouflage, to blend with the natural surroundings and meet the visual quality objectives for the area.

On the lands described below:

T 9 S, R 49 E, PMM  
Sec 18: PORTION OF LOT 4 OUTSIDE WSA  
18: PORTION OF E2SW OUTSIDE WSA  
19: LOTS 1,2,3,4  
19: E2,E2W2  
20: SWSW

For the purpose of:

To control the visual impacts of activities and facilities within acceptable levels.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**7-00-40**



United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 3 S, R 60 E, PMM  
Sec 22: SE  
26: NWNE, NENW, S2NW, NWSW  
29: E2SE  
32: E2NE, SWNE, NWSE, S2SE  
34: NE, E2NW

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)





United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 3 S, R 60 E, PMM  
Sec 35: NE, NESE, S2SE  
T 4 S, R 60 E, PMM  
Sec 4: LOT 1  
4: SENE, NESE, S2SE  
5: LOT 3  
5: SENW, E2SW  
8: NWSW

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**7-00-42**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 4 S, R 60 E, PMM  
Sec 27: E2E2

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**7-00-43**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

T 4 S, R 61 E, PMM  
Sec 12: S2NW

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**7-00-44**

**United States Department of the Interior  
Bureau of Land Management  
Montana State Office**

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use would be subject to the following special operating constraint: No disturbance of riparian areas of wetlands, intermittent, ephemeral, or perennial streams and rivers would be allowed except for essential road and utility crossings.

On the lands described below:

T 147 N, R 96 W, 5th PM  
Sec. 12: E2NW, N2SE

For the purpose of:

1. Protection of riparian habitat (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)



NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM  
UNDER JURISDICTION OF  
DEPARTMENT OF AGRICULTURE

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this STIPULATION are to be addressed to:

District Ranger, Medora Ranger District  
Dakota Prairie Grasslands  
161 21<sup>st</sup> Street West  
Dickinson, ND 58601-3135

who is the authorized representative of the Secretary of Agriculture.

**CULTURAL AND PALEONTOLOGICAL RESOURCES** - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site-specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and the BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and the BLM any cultural or paleontological resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the FS and the BLM.

**FLOODPLAIN AND WETLANDS** - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystem, will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

USDA-Forest Service

R1-FS-2820-13c (10/92)

**07-00-48,07-00-50,07-00-51**

### NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

1. T 144 N, R 100 W, 5<sup>th</sup> PM  
Sec. 20: Portions of SW, E2SE
2. T 144 N, R 100 W, 5<sup>th</sup> PM  
Sec. 20: Portions of SW, S2SE

For the purpose of:

1. Avoidance of steep slopes exceeding 40 percent to protect fragile soils and avoid mass slope failure (Management Area B, Custer Forest Plan, page 46).
2. To meet the goals and management standards for woody draws (Management Area N, Custer Forest Plan, pages 83-84, as amended); to provide healthy, self-perpetuating plant communities that will have optimum diversity and density of understory and overstory vegetation.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA-Forest Service

R1-FS-2820-14 (1/90)

**7-00-48**

United States Department of the Interior  
Bureau of Land Management  
Montana State Office

**CONTROLLED SURFACE USE STIPULATION**

Serial No.

Surface occupancy or use would be subject to the following special operating constraint: No disturbance of riparian areas of wetlands, intermittent, ephemeral, or perennial streams and rivers would be allowed except for essential road and utility crossings.

On the lands described below:

T 142 N, R 103 W, 5<sup>TH</sup> PM  
Sec. 2:E2SE

For the purpose of:

1. Protection of riparian habitat (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU (September 1998)

**7-00-49**



### **NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

1. T 143 N, R 103 W, 5<sup>th</sup> PM  
Sec. 2: Portions of SWNW
2. T 143 N, R 103 W, 5<sup>th</sup> PM  
Sec. 2: Portions of Lots 3, 4, S2NW, SW

For the purpose of:

1. Avoidance of steep slopes exceeding 40 percent to protect fragile soils and avoid mass slope failure (Management Area B, Custer Forest Plan, page 46).
2. To meet the goals and management standards for woody draws (Management Area N, Custer Forest Plan, pages 83-84, as amended); to provide healthy, self-perpetuating plant communities that will have optimum diversity and density of understory and overstory vegetation.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA-Forest Service

R1-FS-2820-14 (1/90)

**7-00-50**

### NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

1. T 143 N, R 103 W, 5<sup>th</sup> PM  
Sec. 14: Portions of E2SE
2. T 143 N, R 103 W, 5<sup>th</sup> PM  
Sec. 14: Portions of E2

For the purpose of:

1. Avoidance of steep slopes exceeding 40 percent to protect fragile soils and avoid mass slope failure (Management Area B, Custer Forest Plan, page 46).
2. To meet the goals and management standards for woody draws (Management Area N, Custer Forest Plan, pages 83-84, as amended); to provide healthy, self-perpetuating plant communities that will have optimum diversity and density of understory and overstory vegetation.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA-Forest Service

R1-FS-2820-14 (1/90)

**7-00-51**

NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM  
UNDER JURISDICTION OF  
DEPARTMENT OF AGRICULTURE

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this STIPULATION are to be addressed to:

District Ranger, McKenzie Ranger District  
Dakota Prairie Grasslands  
HC02, BOX 8  
Watford City, ND 58854

who is the authorized representative of the Secretary of Agriculture.

**CULTURAL AND PALEONTOLOGICAL RESOURCES** - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site-specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface-disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and the BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and the BLM any cultural or paleontological resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the FS and the BLM.

**FLOODPLAIN AND WETLANDS** - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystem, will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to

protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

USDA-Forest Service

R1-FS-2820-13c (10/92)

**07-00-52,07-00-53**

Parcel No. 149-104-013

Serial No.

### **NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 149 N, R 104 W, 5th PM  
Sec. 17: Portions of NWSW

For the purpose of:

To protect the integrity of prairie dog towns for predator and other species use, including potential future release sites for the black-footed ferret (Custer Forest Plan, pages 18 and 46).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-14(1/90)

**7-00-52**

Serial No.

### **NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 149 N, R 104 W, 5th PM

Sec. 17: Portions of NENE, S2NE, SENW, NWSW

For the purpose of:

Avoidance of steep slopes exceeding 40 percent to protect fragile soils and avoid mass slope failure (Management Area B, Custer Forest Plan, page 46).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-14 (1/90)

**7-00-52**

**NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T 149 N, R 104 W, 5<sup>th</sup> PM  
Sec. 20: Portions of NWNE

For the purpose of:

To meet the goals and management standards for woody draws (Management Area N, Custer Forest Plan, pages 83-84, as amended); to provide healthy, self-perpetuating plant communities that will have optimum diversity and density of understory and overstory vegetation.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA - Forest Service

R1-FS-2820-14 (1/90)

**7-00-53**